

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES – Allegation of acquisition of assets disproportionate to the known sources of legal income against Sri Ch. Venkateswarlu, formerly Assistant Prohibition & Excise Superintendent, Kurnool, presently Prohibition & Excise Superintendent, Kakinada – Disciplinary action initiated - Article of Charges issued – Written Statement of Defence submitted – Case entrusted to Commissioner of Inquiries – Inquiring Authority Appointed – Enquiry Report submitted – Charges not held proved – Further action dropped – Orders – Issued.

REVENUE (VIG.V) DEPARTMENT

**G.O. Rt. No. 1081.**

**Dated:19.07.2012.**

Read the following:-

- 1) D.G., ACB, A.P., Hyderabad Lr.C.No.144/RCA-VGT/2006, dt.18.10.2007.
- 2) Govt. Memo No.32507/Vig.V(2)/2006, DT.11.08.2008.
- 3) Commissioner of Prohibition & Excise, A.P., Hyderabad Proc.Cr.No.14/06/CPE/SR-I, dt.22.08.2008.
- 4) Hon'ble APAT Orders, dt.19.11.2008 IN O.A. No.7870 of 2008 filed by Sri Ch. Venkateswarlu, Asst. P&E Superintendent.
- 5) G.O. Rt. No.358, Revenue (Vig.V) Deptt., dt.22.03.2011.
- 6) Sri Ch. Venkateswarlu, Prohibition & Excise Superintendent, Kakinada WSD, dt.19.04.2011.
- 7) G.O. Rt. No.584, Revenue (Vig.V) Deptt., dt.18.05.2011.
- 8) G.O. Rt. No.286, Revenue (Vig.V) Deptt., dt.17.02.2012.
- 9) G.O. Rt. No.287, Revenue (Vig.V) Deptt., dt.17.02.2012.
- 10) Sri Lingaraj Panigrahi, IAS., COI, G.A. (COI-LP) D.O. Letter No.63/COI.LP/2012-1, dt.02.06.2012.

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**ORDER:**

In the reference 1<sup>st</sup> read above, the Director General, Anti Corruption Bureau, A.P., Hyderabad has submitted final report in the case of acquisition of assets disproportionate to the known sources of legal income against Sri Ch. Venkateswarlu, formerly Assistant Prohibition & Excise Superintendent, Kurnool, presently Prohibition & Excise Superintendent, Kakinada and recommended to accord sanction to prosecute the Accused Officer in a court of law on the allegation of acquisition of disproportionate assets to a tune of Rs.47,31,355/- and to initiate departmental action against him on the allegation of violation APCS (Conduct) Rules, 1964, by the Accused Officer for his failure to obtain prior permission or intimate to the competent authority about the purchase of assets and also failed to furnish the information regarding movable and immovable properties genuinely in his Annual Property Returns.

2) After careful examination of the matter, it was decided to initiate departmental action against the Accused Officer in respect of violation of APCS (Conduct) Rules, 1964 and to place the Accused Officer on his defence before the Commissioner of Inquiries in respect of the allegation of acquisition of disproportionate assets.

3) In the reference 2<sup>nd</sup> read above, the Commissioner of Prohibition & Excise, A.P., Hyderabad was requested to initiate departmental action against the Accused Officer. Accordingly, the Commissioner of Prohibition & Excise in the reference 3<sup>rd</sup> read above has framed article of charges against the individual.

4) Aggrieved by the above, the Charged Officer has approached the Hon'ble A.P. Administrative Tribunal by filing the O.A. No.7870 of 2008. The Hon'ble Tribunal in its orders in the reference 4<sup>th</sup> read above has quashed the Charge Memo issued by the Commissioner of Prohibition & Excise, A.P., Hyderabad.

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- 5) In the reference 5<sup>th</sup> read above, Article of Charges were framed against the Accused Officer in respect of acquisition of disproportionate assets and accordingly in the reference 6<sup>th</sup> read above, the Charged Officer has submitted his Written Statement of Defence.
- 6) After examination of the matter, orders were issued in the reference 7<sup>th</sup> read above dropping further action against Sri Ch. Venkateswarlu, Prohibition & Excise Superintendent, Kakinada in respect of departmental proceedings initiated against him on the allegation of violation of APCS (Conduct) Rules, 1964.
- 7) In the reference 8<sup>th</sup> read above, orders were issued appointing Sri Lingaraj Panigrahi, IAS., Commissioner of Inquiries, G.A. (COI-LP) Department as Inquiring Authority to inquire into the charges framed against Sri Ch. Venkateswarlu, Prohibition & Excise Superintendent, Kakinada and in the reference 9<sup>th</sup> read above, Sri A.S.R. Krishna Rao, Advocate was appointed as Presenting Officer to present the case on behalf of Disciplinary Authority.
- 8) After conducting detailed enquiry, the Inquiring Authority in the reference 10<sup>th</sup> read above has submitted Enquiry Report stating that the income of the Accused Officer is Rs.43,98,240/- and after adding 20% i.e., Rs.8,79,648/- it comes to Rs.52,77,888/-. Hence, the Inquiring Authority has adopted the same for computation purpose. When the Accused Officer's expenditure of Rs.20,30,585/- is deducted from his total income he has savings of Rs.32,47,303/-. The Inquiring Authority has therefore held that the Charge against the Accused Officer is held not proved.
- 9) Government, after careful examination of the matter in detail, hereby decided to accept the findings of the Inquiring Authority and to drop further action against Sri Ch. Venkateswarlu, Prohibition & Excise Superintendent, Kakinada in respect of acquisition of disproportionate assets case registered against him.
- 10) The Director General, Anti Corruption Bureau, A.P., Hyderabad / the Commissioner of Prohibition & Excise, A.P., Hyderabad shall take further action in the matter, accordingly.

( BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH )

ASUTOSH MISHRA  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
Sri Ch. Venkateswarlu, Prohibition & Excise Superintendent, Kakinada  
Through the Commissioner of Prohibition & Excise, A.P., Hyderabad.  
The Commissioner of Prohibition & Excise, A.P., Hyderabad.  
Copy to:-  
The Director General, Anti Corruption Bureau, A.P., Hyderabad.  
The Secretary, A.P. Vigilance Commission, Secretariat, Hyderabad.  
The Revenue (Excise-I) Department.  
The Deputy Commissioner of Prohibition & Excise, Kakinada.  
File/SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER